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Environment and sustainable development: protection of global climate for present and future generations of mankind

Outcome of the seventh session of the Conference of the Parties to the United Nations Framework Convention on Climate Change

Note by the Secretary-General**

The Secretary-General has the honour to submit to the General Assembly, pursuant to its resolution 56/199 of 21 December 2001, the report of the Executive Secretary of the United Nations Framework Convention on Climate Change on the work of the Conference of the Parties to the Convention.

* A/57/150.
** The report was delayed in view of the meetings of the subsidiary bodies held in June.

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Report of the Executive Secretary of the United Nations Framework Convention on Climate Change on the work of the Conference of the Parties to the Convention

I. Introduction

1. The General Assembly, by resolution 56/199 of 21 December 2001, invited the Executive Secretary of the United Nations Framework Convention on Climate Change[1] to report to it at its fifty-seventh session on the work of the Conference of the Parties to the Convention. The present report is submitted in response to that invitation.

II. Outcome of the seventh session of the Conference of the Parties

A. Summary

2. The Conference of the Parties to the United Nations Framework Convention on Climate Change held its seventh session at Marrakesh, Morocco, from 29 October to 10 November 2001. The Conference adopted the Marrakesh Accords[2] which establish the initial rules and institutions for the implementation of the Kyoto Protocol to the Convention[3] and decisions to advance the implementation of the Convention. The Conference also adopted the Marrakesh Ministerial Declaration[4] as its input to the World Summit on Sustainable Development.

B. Outcome of the seventh session

3. The seventh session of the Conference of the Parties brought to a conclusion negotiations on the design and development of mechanisms and brought about a shift in their implementation. The Parties adopted decisions on three mechanisms under the Kyoto Protocol — the clean development mechanism, joint implementation, and emissions trading. These mechanisms aim to maximize the cost-effectiveness of reducing greenhouse gas emissions by allowing Parties to take up opportunities outside their borders to supplement domestic action. The clean development mechanism, in particular, would allow an eligible industrialized country (a Party included in annex I to the Convention) to implement a project that reduces emissions beyond a pre-established baseline and contributes to the sustainable development of an eligible developing country (a Party not included in annex I to the Convention). The clean development mechanism is supervised by an executive board, the members of which were elected by the Conference; the board has assumed its functions.

4. Procedures and mechanisms relating to compliance under the Kyoto Protocol were adopted. The Compliance Committee comprises a Facilitative Branch, which will provide advice and facilitation of assistance to Parties to promote compliance, and an Enforcement Branch, which will apply consequences on Parties in cases of non-compliance. A central feature is the emphasis on due process, including a provision for appeal against a decision of the Enforcement Branch relating to compliance with quantified emission limitation or reduction commitments on the grounds that due process has been denied. The legal character of these procedures and mechanisms, and whether there will be any binding consequences, will be decided by the first Conference of the Parties serving as the meeting of the Parties to the Protocol. Any legally binding consequences will need to be adopted through amendment, in accordance with article 18 of the Kyoto Protocol.

5. Guidelines under the Kyoto Protocol were adopted to ensure the credibility of the Protocol relating to the reporting and review of the data needed to assess Parties' compliance with their commitments. The guidelines determine how industrialized countries should account for and report their greenhouse gas emissions and removals, and how this information is to be reviewed. They provide for assessment of the fulfilment by Parties of their commitments to achieve their Protocol targets over time. The guidelines also define the supplementary information to be included by industrialized countries in their national communications in order to demonstrate compliance with other commitments under the Protocol.

6. The Conference of the Parties agreed on definitions, rules, modalities and guidelines relating to land use, land-use change and forestry activities under the Kyoto Protocol. A set of principles governs the treatment of agreed activities, which included

afforestation, reforestation, deforestation, forest management, revegetation, cropland management and grazing land management.

7. The decision on good practices in policies and measures outlines a road map for further cooperation among Parties to the Convention and to the Protocol with a view to enhancing the individual and combined effectiveness of policies and measures aimed at climate change mitigation. The main goal of the work mandated by this decision is to enhance transparency, effectiveness and comparability of policies and measures. In addition, it establishes linkages among the policies and measures, the issues of reporting on demonstrable progress and the need to minimize the adverse effects on developing countries of policies implemented by the industrialized countries.

8. The Global Environmental Facility, as the designated financial mechanism for the Convention, was requested to operate three new funds by the Conference of the Parties. Two of the funds, namely the special climate change fund and the least developed countries fund, were set up to support the implementation of the Convention. Resources to finance the activities of developing countries, such as programmes and measures in the areas of adaptation, transfer of technology, and management of energy, transport, industry, agriculture, forestry and waste; and to provide assistance in the diversification of economies that are highly dependent on income generated from the production, processing and export and/or consumption of fossil fuels and associated energy-intensive products, will be provided under the special climate change fund. The Conference adopted guidance for the operation of the least developed countries fund to meet the agreed full cost of preparing national adaptation programmes of action in the least developed countries. An expert group was established to provide advice to Parties on such programmes of action.

9. The third fund, the adaptation fund, is related to the Kyoto Protocol. This fund was set up to finance concrete adaptation projects and programmes when sufficient information was available to warrant such activities, as well as activities for improving the monitoring of diseases and vectors affected by climate change, supporting capacity-building for preparedness and management of disasters relating to climate change, and strengthening, and where needed establishing, national and regional centres and information networks for rapid response to extreme weather events.

10. The Conference also provided specific guidance to the Global Environmental Facility to fund, from the trust fund, adaptation-related activities. These decisions on funding aim to enhance the prominence of adaptation in climate policy, in particular in the least developed countries, and stress the significance of adaptation as an integral part of sustainable development.

11. The Conference adopted a set of activities as a policy framework to enhance the transfer of technology under the Convention, and established an expert group. The work of the group includes analysing and identifying ways in which to facilitate and advance activities for the transfer of technology. The Conference of the Parties will review, at its twelfth session, the progress of work, terms of reference and status of the expert group.

12. The Conference of the Parties addressed the issue of its contribution to the World Summit on Sustainable Development and adopted as its input the Marrakesh Ministerial Declaration. In the Declaration, ministers and heads of delegation state that addressing the many challenges of climate change would contribute to achieving sustainable development, and that the World Summit was an important opportunity for addressing the linkages between the two issues.

13. In the Declaration concern was expressed that all countries, in particular the developing countries, face an increased risk of negative impacts of climate change. In this context, it was recognized that the problems of poverty, land degradation, access to water and food and human health remained at the centre of global attention. Therefore, the synergies among the United Nations Framework Convention on Climate Change, the Convention on Biological Diversity[5] and the United Nations Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, particularly in Africa,[6] should continue to be explored in order to achieve sustainable development.

14. The Declaration stressed the importance of capacity-building, developing and disseminating innovative technologies in respect of key sectors of development, in particular energy, and related investment. Such investment includes private sector

involvement, market-oriented approaches, supportive public policies and international cooperation.

15. The Marrakesh Ministerial Declaration emphasized that climate change and its adverse impacts have to be addressed through cooperation at all levels, and welcomed the efforts of all Parties to implement the Framework Convention.

Notes

[1] United Nations, *Treaty Series*, vol. 1771, No. 30822.

[2] See FCCC/CP/2001/13/Add.1-3.

[3] FCCC/CP/1997/7/Add.1, decision 1/CP.3.

[4] See FCCC/CP/2001/13/Add.1.

[5] See United Nations Environment Programme, *Convention on Biological Diversity* (Environmental Law and Institution Programme Activity Centre), June 1992.

[6] United Nations, *Treaty Series*, vol. 1954, No. 33480.